

# LAND RECLAMATION COMMISSION

STATE OF MISSOURI

P.O. BOX 176

JEFFERSON CITY, MISSOURI 65102

573-751-4041

## Permit To Engage in Surface Mining

LAND RECLAMATION COMMISSION

ISSUES TO  
JOHN F. CUPPS

Pursuant to "The Land Reclamation Act," RSMo, 2001, and on conformity with the statements

In the application, a permit is hereby granted to engage in surface mining of  
sand & gravel in the state of Missouri. The extent of the

Proposed mining operation(s) will be on 12 acres, more or less.

The locations of the operation(s) under this permit is/are as follows: Renewal

County	Section	Township	Range	Acres Renewed	Acres New	Total Acres	Site/Stream Name	Site Number
Barry	01, 06, 12	23N	25W, 26W	12	0	12	Rockhouse & Flat Creeks	2002

This permit may be suspended or revoked upon violation of any or all of the conditions set forth in "The Land Reclamation Act," RSMo. 2001, or in such rules and regulations as are promulgated pursuant thereto by the Land Reclamation Commission.

IN WITNESS WHEREOF I have hereunto set my hand this 13th day of August 2004

  
\_\_\_\_\_  
DIRECTOR OF STAFF  
Land Reclamation Commission

Permit No. 0925  
Effective Date 08/29/2004  
Expiration Date 08/28/2005

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MISSOURI DEPARTMENT OF NATURAL RESOURCES  
LAND RECLAMATION COMMISSION

## PERMIT RENEWAL FOR INDUSTRIAL MINERAL MINES

MISSOURI LAND

P.O. BOX 176  
JEFFERSON CITY, MO 65102-0176

RECLAMATION COMMISSION

NAME OF CORPORATION, COMPANY, PARTNERSHIP OR INDIVIDUAL <i>Cupps &amp; John</i>		DATE	
ADDRESS <i>HCR 64, Box 2152</i>	CITY <i>Shell Knob</i>	STATE <i>Mo</i>	ZIP CODE <i>65747</i>
CONTACT PERSON <i>John F. Cupps</i>		TELEPHONE NUMBER <i>417-858-3394</i>	

## FEES: COMPLETE SECTION I OR SECTION II

## SECTION I. Fees: Open pit operators and those mining more than 5,000 tons of sand and/or gravel:

## 1. To compute the site fee complete the information below:

SITE NAME OR NUMBER (add a separate sheet for additional sites)	Mark each month that the site will be operated during the permit year	For sites operated less than six months per permit year pay \$150 For sites operated six months or more per permit year pay \$300
1.	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
2.	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
3.	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
4.	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
5.	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
6.	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
7.	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
8.	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
9.	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
10.	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
TOTAL SITE FEE		\$

2. Acreage Fee \$5 X \_\_\_\_\_ number of acres bonded .....\$

3. Annual Permit Fee ..... \$ 500

4. Total Fee (Add totals from 1, 2 and 3) .....\$

NOTE: If Total Fee exceeds \$2,500.00 then pay only .....\$ 2,500

## SECTION II. FEES: Sand or gravel operators mining less than 5,000 tons per year:

1. Annual Permit Fee ..... **\$ 300**

SIGNATURE OF APPLICANT <i>John F. Cupps</i>	TITLE <i>Owner</i>	DATE <i>7/22/04</i>
I appeared before me this <i>22nd</i> day of <i>July</i> , 20 <i>04</i> . <i>John F. Cupps</i> to me personally known, who executed the above as their free acts and deeds.		

NOTARY PUBLIC EMBOSSEMENT SEAL DONNA M BENTON Notary Public - Notary Seal STATE OF MISSOURI BARRY COUNTY MY COMMISSION EXP APR 5, 2004	STATE OF <i>Missouri</i>	COUNTY (OR CITY OF ST. LOUIS) <i>Barry</i>
SUBSCRIBED AND SWORN BEFORE ME, THIS <i>22nd</i> DAY OF <i>July</i> YEAR <i>2004</i>		USE RUBBER STAMP IN CLEAR AREA BELOW.
NOTARY PUBLIC SIGNATURE <i>Donna M. Benton</i>		
NOTARY PUBLIC NAME (TYPED OR PRINTED) <i>Donna M. Benton</i>		MY COMMISSION EXPIRES <i>4-5-06</i>

FOR DEPARTMENT USE ONLY: APPROVED BY <i>[Signature]</i>	DATE APPROVED <i>8/9/04</i>	PERMIT NUMBER <i>0925</i>	EXPIRATION DATE <i>8/28/05</i>
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MISSOURI DEPARTMENT OF NATURAL RESOURCES  
LAND RECLAMATION COMMISSION  
SITE INFORMATION FORM

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MISSOURI LAND  
RECLAMATION COMMISSION

To be completed for each separate area of disturbance associated with mining operations.

SITE NAME OR NUMBER <i>No. 1</i>		PERMIT NUMBER <i>925</i>	
COMPANY NAME <i>John F. Cupps</i>			
COUNTY <i>Barry</i>	1/4 SECTION	SECTION <i>6th and 12</i>	
TOWNSHIP <i>T23 N.</i>	RANGE <i>R 25 W and R 26 W.</i>	ACRES <i>12</i>	
RIVER OR STREAM NAME (FOR IN-STREAM ACRES) <i>Rockhouse + Flat Creeks. (A)</i>			
MINERAL COMMODITY <i>Gravel</i>		ESTIMATED TONS/YEAR (FOR GRAVEL SITES) <i>5,000 Ton.</i>	

NAME OF LANDOWNER (ATTACH LIST IF MORE THAN ONE)

NAME OF LANDOWNER (ATTACH LIST IF MORE THAN ONE) <i>Pat. B. Linkship</i>		
ADDRESS <i>Rt. 3 Box 181A</i>		
CITY <i>Aurora</i>	STATE <i>Mo.</i>	ZIP CODE <i>65605</i>
SOURCE OF RIGHT TO MINE (CHECK ONE): <input type="checkbox"/> MINERAL DEED <input type="checkbox"/> WARRANTY DEED <input type="checkbox"/> OTHER (DESCRIBE):		DATE OF AGREEMENT <i>5/15/03</i>
<input type="checkbox"/> LEASE <input checked="" type="checkbox"/> VERBAL AGREEMENT		

MINERAL RIGHTS OWNER (ATTACH LIST IF MORE THAN ONE)

MINERAL RIGHTS OWNER (ATTACH LIST IF MORE THAN ONE) <i>same</i>		
ADDRESS		
CITY	STATE	ZIP CODE
SOURCE OF RIGHT TO MINE (CHECK ONE): <input type="checkbox"/> MINERAL DEED <input type="checkbox"/> WARRANTY DEED <input type="checkbox"/> OTHER (DESCRIBE):		DATE OF AGREEMENT <i>5/15/03</i>
<input type="checkbox"/> LEASE <input checked="" type="checkbox"/> VERBAL AGREEMENT		

**NOTE:** Each site must be shown on a map and be included in a public notice and an approved mine plan.



MISSOURI DEPARTMENT OF NATURAL RESOURCES  
LAND RECLAMATION COMMISSION

STREAM PROTECTION PLAN - 10 CSR 40-10.020(2)(D)4.

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MISSOURI LAND  
RECLAMATION COMMISSION

JEFFERSON CITY, MO. 64102-0176  
MISSOURY LAND  
RECLAMATION COMMISSION

TYPE OF PLAN (CHECK ONE):

☐ SHORT TERM, FOR ONE PERMIT YEAR

☒ LONG TERM, FOR PERIOD THROUGH DATE:

COMPANY NAME John F. Cupps

DESCRIPTION OF STREAM CONDITION PRIOR TO LAND RECLAMATION COMMISSION PERMITTING (BY APPLICANT OR PRIOR OPERATOR), INCLUDING BANK CONDITION, BANK VEGETATION AND WATER QUALITY.

*Gravel Bar. Causing creek to do bank erosion to fields.*

DESCRIBE METHODS USED TO RESTRICT DAMAGE TO STREAM BANKS OR STREAM BANK VEGETATION.

*Leave 20 to 25 ft. Buffer zone between water and mined gravel bar. Work with Land owner on erosion control limit activity in water or crossing creek.*

DESCRIBE METHODS USED TO MINIMIZE IMPACTS ON THE STREAM ENVIRONMENTS, CONFINING ACTIVE MINING OPERATIONS TO THE GRAVEL BARS RATHER THAN FLOWING WATER AND RESTRICTING HAUL ROADS THROUGH FLOWING WATER

*Cross Creek in two places. park loader good distance from gravel bar when not in use.*

*The Gravel bar will be removed from exposed gravel bars and will not be mined below normal water level.*

DESCRIBE METHODS USED TO PROTECT WATER QUALITY, SUCH AS INSTALLING EROSION CONTROL DEVICES OR OTHER INFORMATION

Gravel will be removed when water flow is low. work with landowners to control bank erosion

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MISSOURI LAND  
RECLAMATION COMMISSION

By my signature, I attest to the following:

- 1) All statements made in this Stream Protection Plan form are correct, complete and true to the best of my knowledge.
- 2) I or the company I am authorized to represent intend(s) to protect the stream environment and remove sand and gravel in accordance with this plan, and in accordance with *The Land Reclamation Act* Sections 444.760 through 444.790, RSMo (Supp. 2001), and all rules, regulations, orders, decisions, and permits of the Missouri Land Reclamation Commission pertaining to my company's surface mining operation.
- 3) I have a valid agreement with all landowners which gives me the right to grant access to the Director of the Missouri Land Reclamation Commission and his authorized representatives, and I grant such access, and further where I have no right to grant such access, I have attached signed affidavits from the landowners granting such access.

SIGNATURE OF APPLICANT

TITLE

DATE

*John F. Cress*

owner

5/29/03

NOTARY PUBLIC EMBOSSEMENT SEAL

STATE

COUNTY (OR CITY OF ST. LOUIS)

Missouri

SUBSCRIBED AND SWORN BEFORE ME, THIS

29<sup>th</sup> DAY OF May 20 03

NOTARY PUBLIC SIGNATURE

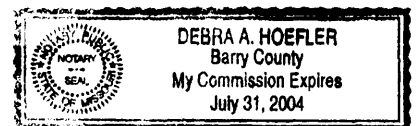
MY COMMISSION  
EXPIRES

Debra A. Hoefler 7-31-04

NOTARY PUBLIC NAME (TYPED OR PRINTED)

Debra A. Hoefler

USE RUBBER STAMP IN CLEAR AREA BELOW



FOR DEPARTMENT USE ONLY: APPROVED BY

DATE APPROVED

PERMIT NUMBER

*[Signature]*

8/27/03

0925

JUN 2 2003

Attach the following documents to the Stream Protection Plan form:

MISSOURI LAND  
RECLAMATION COMMISSION

**I. LOCATOR MAP - two copies required.**

The map must be of sufficient scale to locate and distinguish the permit boundary from other mine sites in the area. Please mark the access route from the nearest public road to the site so that our inspector can visit the mine. The locator map may be prepared on an original or clearly copied Missouri Highway Department County map, United States Geological Survey (USGS) 7- minute topographic map (map scale 1" = 2,000'), county assessor map or an **up-to-date county ownership plat**. In general, operators submit an up-to-date county ownership plat map to satisfy adjacent property owner notification letter requirements.

**The locator map must show the following:**

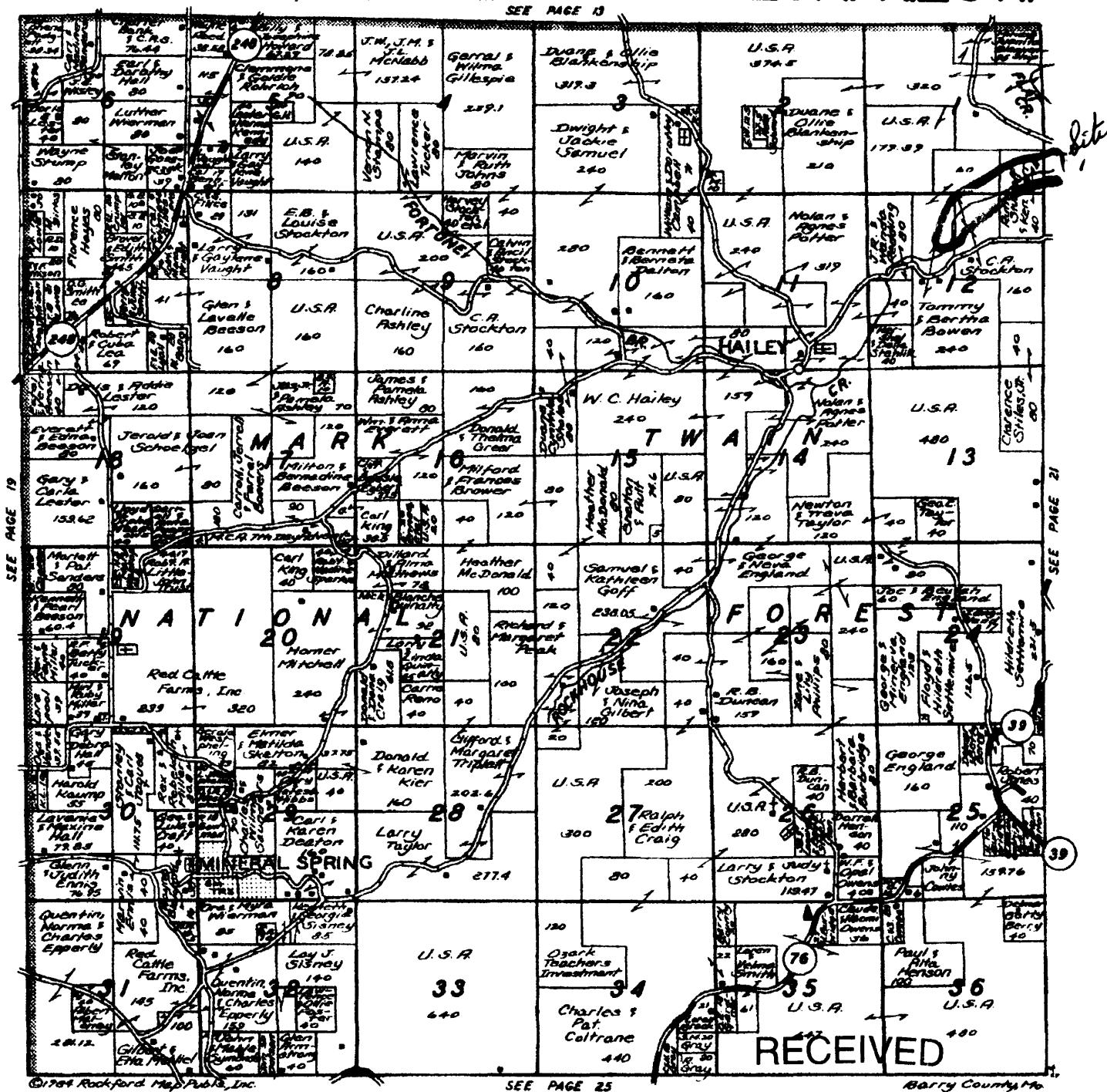
1. The permit area in relation to state or county roads and towns or cities in the general area.
2. North arrow, and map scale.
3. Company name, county, mine or site name, legal description (section, township, range), date of map preparation, and preparer's name.

**II. DETAIL MAP - two copies required.**

The Detail Map must be at a scale of one inch to six hundred sixty feet (1" = 660') or larger (for example, 1" = 400', 1" = 200'). An original or clearly copied, up-to-date Agricultural Stabilization Conservation Service (ASCS) aerial photo (1" = 660') may be used as a base map.

**The Detail Map must show the following:**

1. The permit boundary. When submitting a long-term Stream Protection Plan, the boundary of the long-term Stream Protection Plan area must be identified on the detail map. The acreage associated with each boundary must be illustrated on the detail map.
2. Property lines and names of landowners, owners of surface and subsurface rights within the Stream Protection Plan area and names of all owners of adjacent properties.
3. Approximate positions of public roads located in or within one hundred feet (100') of the permit area.
4. The location of terraces, waterways, and diversions within the Stream Protection Plan area.
5. The location of acreage within the Stream Protection Plan boundary
6. Company name, permit number, county, site name or number, legal description (section, township, and range), date of map preparation, preparer's name, north arrow, and map scale.
7. Creeks or streams in or within one hundred feet (100') of the permit area.
8. Areas within the permit boundary mined prior to August 28, 1990.
9. Locations of abandoned underground or surface mines in, or adjacent to, the permit area.
10. Locations of acid- or toxic-forming materials.
11. Positions of erosion and sediment control devices or structures
12. Location of any structures (buildings, etc.) and natural or cultural features that require protection.



JUN 2 2003

MISSOURI LAND

John F. Cupps  
Permit # 0925  
Barry County  
Sections 1, 6, 12  
Township 23N  
Ranges 25W, 26W  
12 acres  
Rockhouse and Flat Creeks

**REALTY**

South  
65625  
147-4676



Cheryl Robinson  
Salesperson  
Residence: (417) 847-4274

Mary Walarop  
Broker  
Residence: (417) 847-2457

**FULL SERVICE REAL ESTATE**

AUTOMOTIVE PARTS — FISHING TACKLE

**Barney and Jim Anderson****Cassville Dist. Co.**

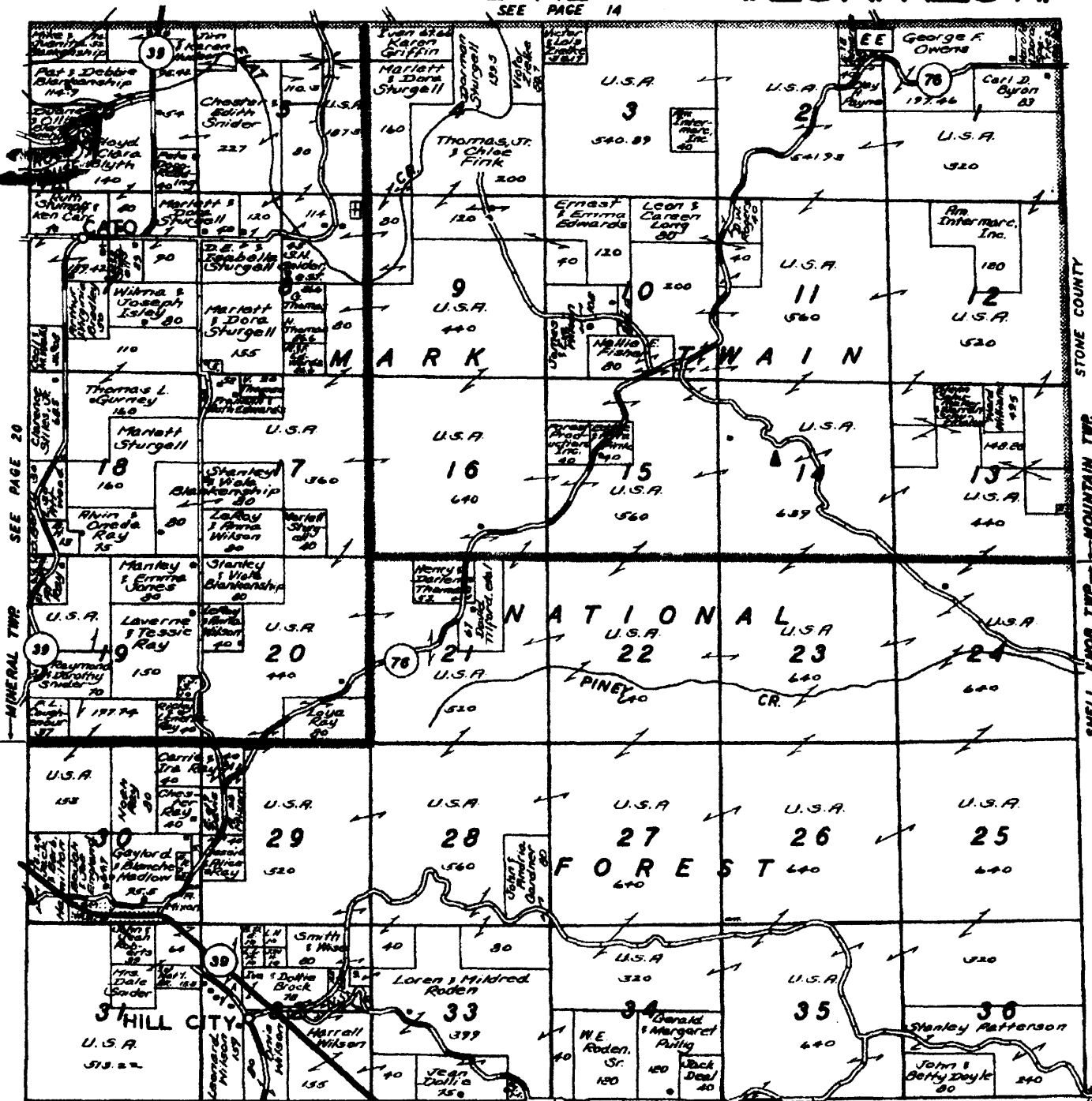
CASSVILLE, MISSOURI 65625  
PHONE: (417) 847-3419 or (417) 847-2574

SALES TAX NO. 005-01587

NORTH PART SHELL KNOE  
SOUTH PART MOUNTAIN PART NORTHEAST MINERAL

T.23N-R25W

SEE PAGE 14



©1904 Rockford Map Publs., Inc.

SEE PAGE 26

Barry County, Mo

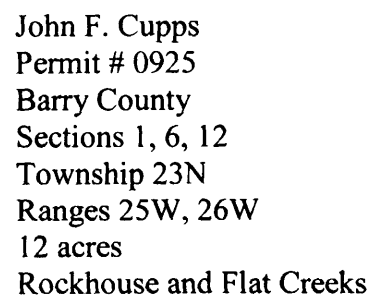
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Permit # 0925  
Barry County  
Sections 1, 6, 12  
Township 23N  
Ranges 25W, 26W  
12 acres  
Rockhouse and Flat Creeks





↔ 439,473.72

↕ 4,065,343.30

↔ 440,011.91

↕ 4,065,411.90

H.P.S.

↔ 438,571.44

↕ 4,064,572.94

↔ 439,088.53

↕ 4,064,788.52

↔ 439,405.12

↕ 4,064,657.87

H.P.S.

John F. Cupps  
Permit # 0925